

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ROBERT WINNER and
LYNNE WINNER, Individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

KELCO FEDERAL CREDIT UNION,
Defendant.

Civil No. ADC-20-cv-3420

**ORDER GRANTING PLAINTIFFS' UNCONTESTED
MOTION FOR SANCTIONS**

This matter is before the court upon consideration of the Plaintiffs' Motion for Sanctions (ECF 26). Plaintiffs Robert and Lynne Winner filed their Motion on August 13, 2021. The Defendant's Response was due on August 27, 2021. Defendant filed no response. After consideration of the Plaintiffs' Motion and the attached exhibits, the Court GRANTS the Plaintiffs' Motion for Sanctions as follows:

In accordance with Fed.R.Civ.P. 37, this Court ORDERS:

(1) That Plaintiffs' Request for Admission No. 4 is deemed admitted as of the date of entry of this Order;

(2) That within 14 days of the date of entry of this Order, Defendant make full production of the Plaintiffs' requested discovery, including those documents necessary for preparation of a class notice. In the event Defendant fails to comply with discovery, Plaintiffs may file a Motion for Default Judgment, pursuant to Fed. R. Civ. P. 37 (b)(2)(A)(vi); and,

(3) That Defendant pay Plaintiffs' attorneys' fees and costs associated with the Plaintiffs' Motion to Compel (ECF 17), the failed May 14, 2021 deposition, the filing of the Amended Scheduling Order (ECF 25), and the preparation of this Motion (ECF 26). The Plaintiffs shall

submit a Petition for Attorneys' Fees and Costs pursuant to Local Rules, Appendix B (D.Md. July 1, 2021) detailing these expenses on or before September 17, 2021.

Date: 2 September 2021


A. David Copperthite
United States Magistrate Judge